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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,277	02/06/2002	Dwayne Nelson	IGTECH.0044P	2050

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EXAMINER
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NGUYEN, KIM T

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 02/24/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/072,277

Applicant(s)

NELSON, DWAYNE

Examiner

Kim Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 6-8 and 17-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-5 and 9-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2, 3, 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

The response to the election/restriction requirement filed January 23, 2004 (paper No. 6) is acknowledged. In view of applicant's argument and provisional election of Group III (claims 9-16), Group I (claims 1-5) will be examined together with Group III in this office action. Accordingly, claims 1-5 and 9-16 are examined herein. Claims 6-8 and 17-24 are withdrawn from consideration.

1. This application is in condition for allowance except for the following formal matters:

#### *Claim Objections*

2. Claims 1, 2-3, 9-10, 13, and 15 are objected to because of the following informalities:
  - a) In claim 1, lines 2-3, the claimed limitation "gaming machines comprising" should be written in the same line.
  - b) In claim 1, line 6, the claimed limitation "the location of one or more gaming machines" should be corrected to "locations of said two or more gaming machines".
  - c) In claim 2, line 2; claim 3, line 2; the claimed limitation "a gaming machine" should be corrected to "a gaming machine of said subset of gaming machines".
  - d) In claim 9, line 7, the claimed limitation "a winning event at a gaming machine" should be corrected to "said winning event at said gaming machine".
  - e) In claim 9, line 8, the claimed limitation "gaming machine operation" should be corrected to "a gaming machine operation".

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- f) In claim 9, line 10, the claimed limitation “one or more gaming machines” should be corrected to “said one or more gaming machines”.
- g) In claim 9, line 11, the claimed limitation “communication” should be corrected to “communicate”.
- h) In claim 10, line 2, the claimed limitation “the gaming machine audio” should be corrected to “a gaming machine audio”.
- i) In claim 13, line 7, the claimed limitation “one or more” should be corrected to “said one or more of the”.
- j) In claim 13, line 9, the claimed limitation “one or more” should be corrected to “said one or more”.
- k) In claim 15, line 2, the claimed limitation “additional gaming machines” should be corrected to “said additional gaming machines”.

Appropriate correction is required.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

***Allowable Subject Matter***

3. The following is a statement of reasons for the indication of allowable subject matter:

Prior arts of record does not disclose a method and a system for synchronizing an aspect of operation for two or more gaming machines in which the system defines a distance parameter and one or more reference gaming machines, analyzes locations of the two or more gaming machines in relation to the reference gaming machine and the distance parameter to form a subset of gaming machines, and generates and transmits a control signal to the subset of gaming machines to control operation of the aspect of gaming machine operation.

***Response to Arguments***

4. In response to applicant's explanation in page 2 of the response to election requirement filed January 23, 2004, Group I and Group III are examined in this office action in view of applicant's explanation concerning the similarity in nature of "synchronizing" versus "controlling", and "reference gaming machine" versus "winning machine". With respect to Group V, the restriction requirement is maintained along with Group II and Group IV. Although Group V is classified in the same subclass with Group I and Group III, Group V concerns totally different subject matter. Divergent subject matters impose burden search.

**REMARK:** claims 6-8 and 17-24 should be canceled.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is (703) 308-7915. The examiner can normally be reached on Monday-Thursday from 8:30AM to 5:00PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg, can be reached on (703) 308-1327. The central official fax number is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1148.

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Date: February 18, 2003



**KIM NGUYEN**  
**PRIMARY EXAMINER**